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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,830	10/23/2001	Aviel D. Rubin	2000-0589	9181

26652 7590 10/28/2004

AT&T CORP.
P.O. BOX 4110
MIDDLETOWN, NJ 07748

EXAMINER

REAGAN, JAMES A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,830

Applicant(s)

RUBIN ET AL.

51

Examiner

James A. Reagan

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This action is in response to the application filed on 23 October 2001.
2. Claims 1-21 have been examined.

Specification

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on page 1, paragraphs 0002 and 0003. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peyret et al. (US 5,923,884 A).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in

preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claims 1, 8, and 15:

Peyret discloses smart cards that are themselves tokens, smart cards that are also phone cards, usage rights, preset values, and other restrictions on the smart card, inherently the smart card transaction itself, including the merchant, card issuer, and card user, and public key encryption i.e. PKI and HASH functions (see at least column 1, lines 507; column 1, lines 33-52; column 5, lines 30-35),

- *receiving from a merchant, desiring to receive authorization for a transaction, a token and information identifying an account with a card issuer;*
- *decrypting the token using a symmetric cryptographic key converted from an account number associated with the account with the card issuer; and*
- *verifying information retrieved from the token and approving the transaction if the transaction satisfies any restrictions retrieved from the token.*

Peyret does not specifically disclose that a token may be generated from an account number, but it would have been obvious to one of ordinary skill in the art at the time of the invention to use an account number for generating a token because the token would then be linked to the account number and associated smart card/phone card as well.

Claims 2-4, 9-11, and 16-18:

With regard to the limitations of:

- *the token has a length that is identical to the account number.*
- *the card is a credit card and wherein the account number is a credit card number.*

- *the card is a calling card and wherein the account number is a calling card number.*

Peyret, as shown above, discloses that the smart card may be a phone card as well as a credit card, and that the smart card itself is the token. Therefore it would be an obvious modification to one of ordinary skill in the art at the time of the invention to use the account number of the smart card as the token, which could, obviously and by design choice, be the same length as the account number.

Claims 5, 12, and 19:

With regard to the limitation of *the symmetric cryptographic key is converted from an account number using a cryptographic hash function*, Peyret discloses hash functions as shown above.

Claims 6, 7, 13, 14, 20, and 21:

With regard to the limitations of:

- *the restrictions retrieved from the token are selected from the group consisting of restrictions on a monetary limit, restrictions on number of uses, monetary restrictions, restrictions on category of product, restrictions on recipients, and restrictions on validity period of the token;*
- *restrictions retrieved from the token are selected from the group consisting of restrictions on calling number, restrictions on time of call, restrictions on duration of call, and restrictions on number of calls.*

Peyret discloses usage rights, as shown above, thereby disclosing appropriate usage restrictions.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **James A. Reagan** whose telephone number is **(703) 306-9131**. The examiner can normally be reached on Monday-Friday, 9:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **James Trammell** can be reached at (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687 [Official communications; including

After Final communications labeled "Box AF"]

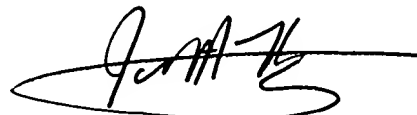
(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED"

or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

JAR

26 October 2004

A handwritten signature in black ink, appearing to read 'JAR', is written over a horizontal line. The signature is stylized and cursive.